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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,830	05/01/2001	Paul Andrew Moskowitz	YOR920000311 (1963-5013)	4970
7590	07/19/2004			EXAMINER HOOSAIN, ALLAN
McGinn & Gibb 8321 Old Courthouse Road, Suite 200 Vienna, VA 22182-3817			ART UNIT 2645	PAPER NUMBER
DATE MAILED: 07/19/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/846,830	MOSKOWITZ ET AL.
	Examiner	Art Unit
	Allan Hoosain	2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 April 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-5, 12 and 37-67 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5, 12 and 37-67 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-2, 4-5, 33-34, 61-64, 66-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Masek** (US 5,272,749) in view of **Enzmann et al.** (US 6,320,946).

As to Claims 1,33-34,61-64,66-67, with respect to Figure 1, **Masek** teaches a method for connecting a user to a telephone number, comprising:

receiving a phone address entered by a caller (Col. 8, lines 64-67);

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determining alphabetic (an entry modality), from alphabetic or alphanumeric (a plurality of) entry modalities, used by said caller to enter the received phone address (Col. 3, lines 13-16, Col. 8, lines 40-48, Col. 15, lines 1-6);

decoding said received phone address according to the determined entry modality (Col. 9, lines 42-58);

consulting a SFAS translation library (reference table) using the decoded phone address, said reference table being updated by a CO translation library (centralized master reference table) (Col. 8, lines 34-30 and Col. 9, lines 45-54); and

connecting the caller to the telephone number that results from said consulting the reference table (Col. 10, lines 33-40);

Masek does not teach the following limitation:

“periodically updated”

However, it is obvious that **Masek** suggests the limitation. This is because **Masek** stores newly added subscribers trade name recognition sequences (Col. 8, lines 34-40). **Enzmann** teaches a SMS computer (centralized master reference table) periodically updating an information server (reference table) (Col. 12, lines 28-34 and Col. 14, lines 31-38,50-54).

Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add periodic update capability to **Masek**’s invention for updating databases with recent information as taught by **Enzmann**’s invention in order to provide choices for updating databases.

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As to Claim 2, **Masek** teaches the method of claim 1, wherein the decoded phone address comprises an ambiguous phone address (Col. 8, lines 64-67 and Col. 19, line 62 through Col. 20, line 2).

As to Claims 4-5 **Masek** teaches the method of claim 1 wherein said reference table comprises a lookup table (Col. 9, lines 49-54).

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Masek** in view of **Enzmann** and further in view of **Clitherow** (US 5,479,494).

As to Claim 3, **Masek** teaches the method of claim 2 wherein said step of consulting the reference table further includes consulting said table;

Masek does not teach the following limitation:

“using additional information specified by an ambiguity resolving parameter, and wherein said connecting the caller is only performed when a telephone number results from said step of consulting”

Clitherow teaches using external database entries (additional information) by card issuer prefixes (an ambiguity resolution parameter) and not connecting a caller if a telephone number is not found (Figure 4, labels 318320,308). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add ambiguity resolving capability to **Masek**’s invention for matching dialed virtual numbers as taught by **Clitherow**’s invention in order to provide assistance to callers when placing calls to virtual numbers.

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5. Claims 32,42-45,49,52,54 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Masek** in view of **Hou et al.** (US 5,325,421).

As to Claims 32,42-45,49,52,54, **Masek** teaches the method of Claim 1, wherein said plurality of entry modalities comprises:

Masek does not teach the following limitation:

“a voice entry modality”

Hou teaches voice commands for recognizing destinations to be dialed (Col. 9, lines 9-21).

Since **Masek** and **Hou** are in analogous identification of destination telephone number art, it would have been obvious to one of ordinary skill in the art to add voice capability to **Masek**'s invention for identifying destination numbers as taught by **Hou**'s invention in order to provide users with choices for identifying their destinations.

6. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Masek** in view of **Riskin**.

As to Claim 35, **Masek** teaches the method of claim 1, wherein said plurality of entry modalities comprises:

Masek does not teach the following limitation:

“an alphanumeric keyboard entry modality”

Riskin teaches alphanumeric keyboard entries for recognizing destinations to be dialed (Col. 6, lines 46-66). Since **Masek** and **Riskin** are in analogous identification of destination

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telephone number art, it would have been obvious to one of ordinary skill in the art to add keyboard capability to **Masek's** invention for identifying destination numbers as taught by **Riskin's** invention in order to provide users with choices for identifying their destinations.

7. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Masek** in view of **Yamakita** (US 6,366,698).

As to Claim 36, **Masek** teaches the method of Claim 1, wherein said plurality of entry modalities comprises:

Masek does not teach the following limitation:

“a handwriting entry modality”

Yamakita teaches handwritten entries for recognizing destinations to be dialed (Figure 6A and Col. 2, lines 31-50). Since **Masek** and **Yamakita** are in analogous identification of destination telephone number art, it would have been obvious to one of ordinary skill in the art to add handwritten capability to **Masek's** invention for identifying destination numbers as taught by **Yamakita's** invention in order to provide users with choices for identifying their destinations.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 12,37-41,46-48,50-51,53-54,55-60,65 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by **Riskin** (US 4,817,129).

As to Claims 12,37-38,46-48,53-54,55-60,65, with respect to Figure 1, **Riskin** teaches a system for connecting a user to a telephone number, comprising:

a memory including program code stored therein (Figure 14, label 42); and
a processor connected to said memory for carrying out instructions in accordance with stored program code (Figure 1, label 16);
wherein said program code, when executed by said processor, causes said processor to:
receive from a caller an ambiguous phone address (Figure 14, label 40);
select a collision (an ambiguity resolving parameter) from a plurality of collisions (ambiguity resolving parameters) (Col. 16, lines 37-56);
collect confirmations (additional information) specified by said selected ambiguity resolving parameter (Col. 16, lines 44-53); and
determine, using said additional information, whether said phone address resolves to a telephone number (Col. 16, lines 61-62 and Figure 14, label 50).

As to Claims 39-41,50-51, **Riskin** teaches the method of Claim 37, wherein said plurality of ambiguity resolving parameters comprises a location of said caller (Col. 5, lines 37-50).

10. Claims 12,37,65 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by **Masek**.

As to Claims 12,37,65, with respect to Figure 1, **Masek** teaches a system for connecting a user to a telephone number, comprising:

a memory, 40, including program code stored therein (Figure 1 and Col. 9, lines 3-20); and
a processor, 14, connected to said memory for carrying out instructions in accordance with stored program code (Figure 1 and Col. 9, lines 3-20);
wherein said program code, when executed by said processor, causes said processor to:
receive from a caller an ambiguous phone address (Col. 8, lines 64-67);
select a number digit (an ambiguity resolving parameter) from a plurality of number digits (ambiguity resolving parameters) (Col. 3, lines 13-16, Col. 8, lines 40-44, Col. 15, lines 19-22);
collect digit translators (additional information) specified by said selected ambiguity resolving parameter (Col. 15, lines 26-29); and
determine, using said additional information, whether said phone address resolves to a telephone number (Col. 16, lines 3-23).

Response to Arguments

11. Applicant's arguments filed 4/30/04 have been fully considered but they are not persuasive because of the following:

With respect to the 35 USC 103 Rejections, Examiner respectfully disagrees that **Masek** teaches a single entry modality. As shown in the rejection of Claim 1, **Masek** teaches alphabetic and alphanumeric entry modalities. The argument appears to suggest that the claimed plurality of entry modalities corresponds to a plurality of entry devices e.g., telephone keypad, computer

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keyboard, etc. However, this correspondence is not recited. Also, Examiner believes that it is obvious to combine **Masek** with **Enzmann** to achieve the periodic limitation for the reasons given in Claim 1. Similarly, Examiner believes that it is obvious to combine **Masek** and **Enzmann** with **Clitherow** to achieve the limitations of Claim 3.

With respect to the 35 USC 102 Rejections, Examiner believes that **Riskin** teaches a plurality of collisions (last names with the same numeric strings and multiple occurrences of first names) which are resolved differently by asking a caller for different confirmations (Col. 16, lines 37-56).

Examiner respectfully invites Applicants to contact Examiner to discuss possible amendments for overcoming the prior art of record.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Padden et al. (US 4,979,206) teach receiving resolving inputs from a caller to find destinations.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications; please mark "EXPEDITED PROCEDURE")

Or:

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (703) 305-4012. The examiner can normally be reached on Monday to Friday from 7 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (703) 305-4895.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Allan Hoosain
Allan Hoosain
Primary Examiner
7/2/04